IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 9832 of 1998**

Between:

Nazir Khatry S/o.Abdul Gaffar Khatry, R/o.Visakhaptanam, being Minor rep.by his Father and natural Guardian Abdul Gaffar Khatry,S/o.Late Osman Khatry aged-40,R/o.Pondur Srikakulam Dist.

**..... PETITIONER**

AND

1 St.Aloysius Anglo-Indian High School
Visakhapatnam Rep.by its Principal.
2 Council for Indian School Certificate Examination

rep.by its Secretary, New Delhi.
3 The District Educational Officer, Visakhapatnam Dist.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to To issue an appropriate writ,order or direction more particularly one in the nature of Writ of Mandamus to declare as illegal and arbitrary the order of the 1st respondent dated 31-03-1998 and issue a consequential direction to the Respondents to permit the petitioner to take the I.C.S.E 10th Class Examination scheduled to commence from
13-04-1998 to 04-04-1998 or any other subsequent dated.

**Counsel for the Petitioner: MR.D.V.SITARAMAMURTHY (Not present)**

**Counsel for the Respondent No.1: MR.A.L.RAJU (Not present)**

**Counsel for the Respondent No.2: -- None appeared**

**Counsel for the Respondent No.3: -- None appeared**

**The Court made the following :**

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**ORDER:**

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This writ petition is filed, seeking to declare the order of the first respondent, dated 31-03-1998 as illegal and arbitrary and consequently to direct the respondents to permit the petitioner to take the I.C.S.E. 10th class examination scheduled to be conducted from 13-04-1998 to
24-04-1998 or any other subsequent dates.

When the matter came up today for hearing, none appears for the petitioner as well as the respondents.

It is not known whether in pursuance of the order of this Court, dated 09-04-1998 in W.P.M.P. No. 11954 of 1998, the petitioner was permitted to take the I.C.S.E. 10th class examination. Be that as it may, by lapse of time, the cause in this writ petition has become infructuous, for the petitioner was seeking the relief of permitting him to take the I.C.S.E. 10th class examination scheduled to be conducted during the year 1998.

Therefore, the writ petition is dismissed as having become infructuous. No costs.

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**N.V. RAMANA, J**

**Date: 02-03-2005**

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal, St.Aloysius Anglo-Indian High School, Visakhapatnam.
2 The Secretary, Council for Indian School Certificate Examination,

New Delhi.
3 The District Educational Officer, Visakhapatnam District, Visakhapatnam.

4 Two CD copies

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